



Order Filed on November 22, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

THE KELLY FIRM, P.C.

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Attorneys for the Trustee, Bunce D. Atkinson, Esq.

In re:

RICHARD DALBO and
DAWN ANN DALBO,

Debtors.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Chapter 7

Case No.: 19-28306

Hon. Christine M. Gravelle, U.S.B.J.

Hearing Date: November 22, 2022
at 10:00 a.m.

**ORDER AUTHORIZING SALE OF DEBTOR ESTATE'S INTEREST IN REAL PROPERTY TO
DEBTOR DAWN ANN DALBO SUBJECT TO ALL MORTGAGES, REAL ESTATE TAXES,
MUNICIPAL LIENS, AND HOMEOWNER'S ASSOCIATION FEES, IF ANY, BUT FREE AND
CLEAR OF ALL OTHER LIENS, INCLUDING BUT NOT LIMITED TO JUDGMENT LIENS,
CLAIMS, AND ENCUMBRANCES, WITH LIENS, CLAIMS, AND ENCUMBRANCES TO ATTACH
TO THE PROCEEDS OF SALE**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: November 22, 2022


Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Richard Dalbo and Dawn Ann Dalbo
Case No.: 19-28306 CMG
Caption of Order: ORDER AUTHORIZING SALE OF REAL PROPERTY

THIS MATTER having been opened to the Court by The Kelly Firm, P.C., attorneys for the Chapter 7 Trustee, Bunce D. Atkinson (the “Trustee”); notice having been provided to the Debtors, the attorney for the Debtors, the United States Trustee, and parties in interest on the certification of service, and the Court having read and considered the Trustee’s Motion and supporting pleadings seeking the entry of the within Order and any timely opposition filed; and the Court having considered the arguments of counsel (if any) at the hearing; and the Court having concluded that Dawn Ann Dalbo (the “Debtor”) qualifies as “good faith” purchaser under the criteria set forth in In re Abbott’s Dairies of Pennsylvania, Inc., [788 F.2d 143](#) (3rd Cir. 1986); and the Court having considered that the offer from the Purchaser is fair and reasonable and constitutes the highest and best offer; and it appearing that proper notice and service has been provided and made as demonstrated by the Certification of Service filed with this Court; and for all the terms set forth on the record; and for good cause being shown; it is hereby

ORDERED AS FOLLOWS:

1. Bunce D. Atkinson, the Chapter 7 Trustee, be and hereby is authorized pursuant to [11 U.S.C. § 363](#) to sell the Debtor Estate’s interest in real property located at 5 Rio Court, Berkeley Township, NJ (the “Property”) to the Debtor Dawn Ann Dalbo for the principal sum of \$45,000.00 subject to any mortgage liens, real estate taxes, municipal liens, and homeowners association liens, if any, but free and clear of all other liens, including but not limited to judgment liens, claims, and encumbrances, with liens, claims, and encumbrances to attach to the proceeds of sale.

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Debtor: Richard Dalbo and Dawn Ann Dalbo
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2. The sale is without any representation or warranty including any express, implied, fitness for a particular purpose or of habitability warranty and will be evidenced by a Trustee Deed.

3. Payment shall be made by the Debtors to the Trustee within 5 business days of the entry of this order.

4. The Debtors are not entitled to any exemption in the funds paid to the Debtor Estate.

5. All requirements of 11 U.S.C. § § 363(b) and (f) for the sale of the Property to the Debtors has been satisfied and any objections to such sale have been overruled.

6. The Debtor is a good faith purchaser under 11 U.S.C. § 363(m) as to the Property and, as such, are entitled to the protection afforded thereby.

7. The proceeds of sale shall be paid to the Trustee for the benefit of creditors.

8. The fourteen (14) day stay under Federal Rule of Bankruptcy Procedure 6004(h) is waived.

9. A copy of the within order shall be served upon all secured creditors or their counsel, the twenty (20) largest unsecured creditors, appropriate taxing authorities, and the Office of the United States Trustee within 7 days after its entry.

In re:
Richard Dalbo
Dawn Ann Dalbo
Debtors

Case No. 19-28306-CMG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Nov 22, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
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#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 24, 2022:

Recip ID	Recipient Name and Address
db	# Richard Dalbo, 6125 Galleon Way, Tampa, FL 33615-3635
jdb	Dawn Ann Dalbo, 5 Rio Ct, Toms River, NJ 08757-4132

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 24, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 22, 2022 at the address(es) listed below:

Name	Email Address
Andrew J. Kelly	on behalf of Trustee Bunce Atkinson akelly@kbtlaw.com wsheridan@kbtlaw.com;sbrenner@kbtlaw.com
Bunce Atkinson	on behalf of Trustee Bunce Atkinson bunceatkinson@aol.com NJ09@ecfcbis.com,maraujo@atkinsondebartolo.org,atkinson@remote7solutions.com
Bunce Atkinson	bunceatkinson@aol.com NJ09@ecfcbis.com,maraujo@atkinsondebartolo.org,atkinson@remote7solutions.com
Denise E. Carlon	on behalf of Creditor AmeriHome Mortgage Company LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
John R. Morton, Jr.	

District/off: 0312-3

User: admin

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Date Rcvd: Nov 22, 2022

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on behalf of Creditor SunTrust Bank now Truist Bank ecfmail@mortoncraig.com mortoncraigecf@gmail.com

MaryBeth Schroeder

on behalf of Joint Debtor Dawn Ann Dalbo marybeth@schroedermb-law.com

MaryBeth Schroeder

on behalf of Debtor Richard Dalbo marybeth@schroedermb-law.com

Michael A. Artis

on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9